

REMARKS

Claims 9-10 have been rejected under 35 U.S.C. § 112 for lack of enablement as the specification allegedly fails to teach that the starch is chosen to release the chemical at selected temperatures or, in particular, at 60°C. The specification at page 8, third paragraph, discloses that one skilled in the art may chose the starch such that it will release its chemical at a selected temperature (claim 9). The specification has been amended to correct the deficiency of no descriptive basis for claim 10. No new matter has been added as this matter may be found in the claims as originally filed. The specification further discloses that when the starch cooks out, it will release the adsorbed chemical. Thus, one skilled in the art may easily chose a starch which will gelatinize and thus release its chemical at a selected temperature and the rejection is overcome.

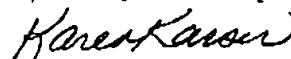
Claim 19 has been rejected under 35 U.S.C. § 112 for indefiniteness as it is allegedly unclear how such chemicals are incompatible. Applicants respectfully traverse. One skilled in the art of oil well chemistry understands that it is necessary and/or desirable for numerous chemicals to be used in an oil well for a variety of reasons. Some of these chemicals are listed in the specification of the present invention. One skilled in the art is also aware that many of these chemicals could not be previously combined into one formulation as they were incompatible. Incompatible, as used in this application, is intended to have its conventional chemical definition which is not capable of forming a homogeneous mixture that neither separates nor is altered by chemical interaction (see Webster's Ninth New Collegiate Dictionary, copy enclosed). Thus, one skilled in the art would find this term to be definite and the rejection is overcome.

Claims 1-9, 11-16, and 18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by WO 89/04842. The '842 application discloses the use of microporous granular starch matrices for delivering salad oils, flavors, insect repellents, insecticides, herbicides, perfumes, moisturizers, soaps, waxes, body creams and lotions, vitamins and therapeutic drug substances (see page 6) for use as adjuvants for antiperspirants and as bulking agents for foods and drinks. The '842 application neither teaches nor suggests adsorption of oil well chemicals. Contrary to the Examiner's contention, soaps and waxes are not oil well chemicals. Thus, the '842 application does not anticipate the present application.

Claim 1-5, 8-9, 11-13 and 17-18 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Fanta, et al. (US 6,461,999). Applicants respectfully traverse. Fanta teaches starch containing lubricant systems for oil field applications. The starch in Fanta is steam jet cooked with water and the lubricant in order to uniformly suspend the lubricant in an aqueous starch matrix. Thus, the starch has been cooked out and easily dispersible, not particulate as in the present invention. Thus, Fanta does not anticipate the present application.

In view of the foregoing, Applicant respectfully submits that the Application is in condition for allowance and requests early action thereon.

Respectfully submitted,



Karen G. Kaiser
Attorney for Applicant
Reg. No. 33,506

National Starch and Chemical Company
P.O. Box 6500
Bridgewater, NJ 08807-0500
(908) 575-8152

Dated: 26 June 2003

